

## QUICK COURT RULING

Appellate Court Renders a Decision From the Bench.

ACTION VERY UNUSUAL

Overruling the District Court of Sumner County.

Something occurred yesterday in the appellate court that was never known before, according to some of the attorneys. In the case of John G. Campbell et al. vs. board of county commissioners of Sumner county, the case was argued by Mr. Day for the plaintiff in error upon the merits of the case. About the time he was concluding his argument he called the court's attention to an error of the trial court to the effect that the district judge allowed to allow the plaintiffs to argue or present authorities on a motion for a new trial. When the appellate court's attention was called to this assignment of error they asked for the record of the case, and upon examination found that it contained the motion for a new trial in the lower court, and the attorney for the defendant in error admitted the fact that the trial judge refused to permit any argument or presentation of the authorities upon the motion, whereupon the appellate court very promptly from the bench, reversed the decision of the lower court and remanded the cause with instructions to the lower court to grant a new trial. Usually a written opinion is handed down on such matters, but the court seemed to think this was such an error that it required no deliberation upon their part and very promptly rendered their decision as above stated.

Cases disposed of yesterday were as follows:

Emporia National bank vs. John R. Layfield, appealed from Lyon county; argued by Mr. Graves for plaintiff and Mr. Cunningham for defendant and submitted on briefs.

J. M. Harper vs. city of Conway Springs et al., appealed from Sumner county; argued by Mr. Lawrence for plaintiff and Mr. Schmitt for defendant and submitted on briefs.

Robinson & Co. Machine Works vs. Wichita and Western Railway company, appealed from Kingman county; argued by S. S. Ashbaugh for plaintiff and F. W. Bentley for defendant and submitted on briefs.

H. J. Wofacott vs. C. E. Case et al., appealed from Sedgewick county; argued by F. W. Bentley for plaintiff and A. J. Kistling for defendant and submitted on briefs.

John Zimmerman, sheriff, vs. C. E. Clark et al., appealed from McPherson county; argued by Mr. Gratten for plaintiff and Mr. Milliken for defendant and submitted on briefs.

J. C. Burley vs. Andrew Anderson et al., appealed from McPherson county; continued to October term.

The state of Kansas vs. Chicago, Rock Island and Pacific Railway company, appealed from Sedgewick county; dismissed for failure to file briefs.

The Phoenix Insurance company of Hartford vs. C. F. Ireland et al., appealed from Lyon county; argued by Mr. Kistling for plaintiff and Mr. Buck for defendant and submitted on briefs.

Missouri, Kansas and Texas Railway company vs. the city of Emporia, appealed from Lyon county; argued by Mr. Kellogg for plaintiff and Mr. Buck for defendant and submitted on briefs.

C. V. Eckridge vs. the city of Emporia, appealed from Lyon county; argued by Mr. Kellogg for plaintiff and Mr. Buck for defendant and submitted on briefs.

The Trust Company of America et al. vs. Frederick Whitmore et al., appealed from Reno county; dismissed according to stipulation of both parties.

The Trust Company of America et al. vs. Frederick Whitmore et al., appealed from Marion county; dismissed as per stipulation of both parties.

D. M. Thompson vs. the city of Emporia et al., appealed from Lyon county; continued as per stipulation.

Thomas Evans et al. vs. George P. Carson, appealed from Lyon county; argued by Mr. Cunningham for plaintiff and Mr. Graves for defendant and submitted on briefs.

The West Side National bank vs. The Farmershire Insurance company, appealed from Sedgewick county; submitted on briefs.

In the case of Henry C. Stanley vs. Chicago, Kansas and Western Railway company et al., appealed from Butte county, a motion to dismiss was argued by the defendant in error and was submitted on briefs.

In the case of the Kansas State bank vs. First National Bank of Kansas, on petition of L. C. Boyle, appealed from Marion county, the case was transferred to the Western division by stipulation of both parties.

When Nature Needs assistance...

FEDERAL COURT NEXT WEEK

Judge Hook Will Transact Business Monday and Tuesday.

Judge Hook of the Federal court will be in Wichita next Monday and Tuesday to hear cases in the United States court. Judge Hook is in Fort Scott this week, and will finish up the court session there by Saturday. There will be no business transacted at Topeka until after May 12. Attorneys say Judge Hook is keeping up with the court docket with ease.

APPEAL FROM PROBATE COURT

Creditors of Robert Glass, Deceased Dissatisfied With Jury's Verdict.

The case of an appeal being taken from the probate court to the district court is very rare in this county. Yesterday, however, the creditors of the late Robert Glass, caused an appeal to be taken in the matter of William M. Glass against the estate of Robert Glass, deceased, from

DOES COFFEE AGREE WITH YOU?

If not, drink Grain-O—made from pure grains. A lady writes: "The first time I made Grain-O I did not like it, but after taking it for one week nothing would induce me to go back to coffee. It gives me energy and feeds the system. The children can drink it freely with great benefit. It is the strengthening substitute of coffee. Get a package today from your grocer, follow the directions in making it and you will have a delicious and healthful table beverage for old and young. 10c and 25c."

No other remedy compares with **WARNER'S SAFE CURE** for regulating the action of the liver and kidneys, driving out disease, building up the system and giving fresh life.

It has a world-wide reputation. Use it and be convinced.

the fact that a jury in the probate court had awarded William Glass too much on his account against the estate. When the matter came up for adjustment in the probate court, William Glass' claim against the estate was \$1,500, and the jury allowed him about \$275. The other creditors thought this allowance too high, and to protect their own claims, they caused the case to be appealed.

**COMMITTEES OF OLD SOLDIERS**  
Appointed to Arrange for the Annual Reunion.

The executive committee of the Wichita Reunion association met yesterday afternoon. After discussing the general plan of the reunion, it was decided to appoint the following committees at this time:

First—On camp supplies, which includes the selection of grounds for holding reunion, water, light, wood, tents, in fact everything necessary for the comfort of our guests: Arthur Bell, W. L. Applegate and D. T. Dunbar.

Second—Camp arrangement, to locate streets, pumps or hydrants, lights, tents, etc.: J. H. Alexander, J. H. Butler, R. Holmes, John M. Allen and S. C. Salmon.

Third—Transportation or street fair: J. P. Allen, Cash Henderson, Haythorn, L. Keck, Colonel H. W. Lewis.

The committee then adjourned till Wednesday, May 21, at 4 p. m. at city building. By order of committee.

**BLACKWELL COUPLE WEDS**

Mr. C. J. S. Brewer and Mrs. Coleman married by Judge Haymaker.

Mr. C. J. S. Brewer and Mrs. Margaret F. Coleman of Blackwell, O. T. came to Wichita Wednesday to attend the Grand Chapter of the Eastern Star. They will go back to Blackwell as man and wife.

Yesterday they called on Judge Haymaker of the probate court, and were married in the parlors of the judge's office. Mr. Brewer is a well known contractor of Blackwell, and is an old resident in that town, and his wife is one of the daughters of that city, who has visited Wichita quite often to buy goods. The newly married couple were very careful to keep the news from the Eastern Star people yesterday, and consequently there was no demonstration in their honor. They are said to be a fine looking couple.

**A THOUSAND TONGUES**

Could not express the rapture of Annie E. Springer, of 1125 Howard street, Philadelphia, Pa., when she found that Dr. King's New Discovery for Consumption had completely cured her of a coughing cough that had for years made life a burden. All other remedies and doctors could give her no help, but she says of this Royal Cure: "It soon removed the pain in my chest and I can now sleep soundly—something I can scarcely remember doing before. I feel like sounding its praises throughout the universe." So will every one who tries Dr. King's New Discovery for any trouble of the Throat, Chest or Lungs. Price 50c and \$1.00. Trial bottles free at G. Gehring's drug store; every bottle guaranteed.

**ORDER TO CLEAN UP**  
Police Will See That Fifty Premises are Cleaned.

There has been issued from the supreme council of the city building an imperative order to clean up. The summons say, if you live in Wichita and have a dirty yard or an alley at the rear of the premises. To properly enforce the order each policeman has been given a pad of blanks which he is supposed to fill out and hand to every one whose premises need cleaning up. The hot weather will soon be here and it is very necessary to health that cleanliness and proper sanitation be observed. The police hope they will not have any trouble enforcing the order.

**CHINCH BUGS AND DROUTH**

Reported Fifteen Miles Southeast of Wichita

Mr. O. L. Henshaw, of the firm of Tapp Bros. & Henshaw, and Mr. Meyer of Oystum township, were in the city yesterday and report the prevalence of a serious drouth in their vicinity. About fifteen miles southeast of Wichita. This is very strange, all admissions that local chinch bugs have been an abundance of rain and in some places really too much rain has fallen for the good of crops. These gentlemen say there has been but several others this spring and the fields are very dusty. Cuts have been ruined by the drouth and chinch bugs are thick and are doing much damage.

**WICHITA MAN HONORED**

Chas. M. Jones Promoted by the Kansas Temperance.

Chief of Police Jones has returned from Topeka, where the annual convocation of the grand commanders of the Knights Templar was held this week. In the election of officers Mr. Jones was promoted from grand commander-in-chief to deputy grand commander. By his energetic efforts and wide friendship over the state Mr. Jones made another important addition, that of securing the convocation for next year for Wichita. They will convene here the second week in May, 1899.

**LOAN COMPANY MOVES OFFICES**

Cole & Wiley Secure Larger Quarters

The well known realty and loan firm of Cole & Wiley removed yesterday from their old quarters at 14 North Main street, to 20 North Main, in the Munich building. In the offices formerly used by Dean Gardner. The growing business of the firm required greater room and they now have nicely arranged and commodious quarters.

**HIRED TO SHOOT COYOTES**

Bert McNaughton Strikes a Marksman's Snipe.

Bert McNaughton has struck a snag. J. A. Browning, a shrewd man of Greenwood county, has a great deal of business with coyotes and he some ever have hunting a track and he ever and strain out a few of the wolves. He engaged Bert McNaughton, who is to get \$2 per coyote. He all the coyotes he gets, besides the bounty offered by the county commissioners. Mr. Browning pays for all the ammunition.

He bought two Winchester and a thousand and cartridges. Mr. McNaughton left last night.

**EMPORIA AVE. M. E. CHURCH**  
Will Celebrate Tenth Anniversary of Epworth League.

Next Sunday evening the Epworth League of the Emporia Avenue M. E. church will celebrate the tenth anniversary of the organization of that society. A special program has been carefully prepared in which the singing of songs, new and old, will be led by an orchestra and mixed chorus. A girls' chorus will render one selection. Mr. E. E. Walden and Miss Herta Allen will each render a solo, and a few appropriate eight-minute addresses will be delivered by Epworthians. If you attend this service you will be sure of a pleasant and profitable hour.

**AT RIGITFUL BLENDER**  
Will often cause a horrible Burn, Scald, Cut or Bruise. Bucken's Arnica Salve, the best in the world, will kill the pain and promptly heal it. Cures Old Sores, Fever Sores, Ulcers, Boils, Felons, Corns, All Skin Eruptions. Best Pile Cure on earth. Only 25c a box. Cure guaranteed. Sold by G. Gehring, druggist.

**MUSIC AND DRAMA.**

"DIXIE LAND."

A packed house again greeted the Hoyt Comedy company at the Crawford Grand in the "Texas Steer." The play was well presented and judging from the applause and laughter, pleased the audience immensely. Miss Nellie Blanchard, as Bossy, was excellent, and acted her part in a finished manner, showing that she had a proper conception of the character which she enacted. The Maverick Brandon was also well taken by Mr. Pete Raymond.

Mr. F. G. Hubbard, as the minister to Dahomey, was very good, but he neglected to black his hands. This oversight as to details should not be. It seems that the appearance of Mr. Ferdinand Ashby on the stage is a signal for applause. He is certainly growing very popular since during his engagement in Wichita. His rendition of "Home Sweet Home," which he sang last night, by request, is surely a treat and shows his excellent tenor voice to great advantage. The rest of the company were all clever but worked under some difficulties in not having enough people to properly stage the "Texas Steer." Tonight "DIXIE LAND" will be played.

**THE MESSEIAH.**

The solo quartet was excellent. The baritone Clark made so much of his vocal and musical ability that he left no doubt in the audience as to his standing on the same artistic elevation as his partners.—New York Staats Zeitung, Jan. 16, 1898.

Mr. Clark, an American, who has been abroad for some years, proved to be a valuable acquisition. He has a big, manly voice of admirable quality, a fine command of phrasing, facility of delivery in rapid passages and clear enunciation.—New York Times, Jan. 16, 1898.

Mr. Charles W. Clark sang with intelligence. His voice is pure and of solid quality, is also flexible and yielded fluently to the agile Handelian demands. His diction is good.—New York Courier, Jan. 23, 1898.

Mr. Clark's singing was intelligent, and his fine voice was received with enthusiasm.—Baltimore Herald, Feb. 4, 1898.

Mr. C. W. Clark, a newcomer and the basis of the occasion, found many admirers. His delivery and pronunciation are excellent.—Baltimore Sun, Feb. 4, 1898.

As the contrary soloist, Miss Marie White did full justice to Mendelssohn's magnificent solo. Her voice is rich and her intonation excellent, laying the foundation for an excellent rendering of the famous aria, "O Rest in the Lord." The grand solo received a grand treatment.—Baltimore Herald, Feb. 4, 1898.

Miss White will be here in the Messiah. Mr. T. Stanley Davies (tenor) who is of exceptionally sweet and sympathetic character, gave a fine interpretation of the difficult solo, "The Majesty of the Divine Humiliation." His distinct enunciation and correct intonation in the difficult chromatic passages left nothing to be desired.—Chicago Musical Journal.

**OLD MAIDS CONVENT.**

Ten ladies of Plymouth church, assisted by Mrs. Colonel J. L. Dyer, Mrs. L. S. Carter, Mrs. L. N. Singer, Mrs. D. Hays, Miss South, the Misses Mulvey and other friends will put on at the opera house Monday night, May 15, the burlesque which has had such a run in the east, viz: The Spymaster's Convention.

There are upwards of thirty people in the performance and all the types of spinsterhood will be presented with variations. The speeches, songs and antics of these ancient women folk are calculated to keep the audience in a par from the cinders to the ringing down of the curtain. No one who enjoys fun pure and simple should fail to see the old maids.

The performance is to conclude with a cake walk, which we understand is under the leadership of Mrs. F. W. Bentley, and it is supposed the most prominent society people in town will walk.

Holders of tickets for Spymaster's Convention Monday night must get seats reserved today if they desire choice seats.

**A Runaway Boy.**

Mr. Henry Williams left home March 1st, and was in Peck, Kan., on the 21st. He is 17 years old, 5 feet 7 inches tall, dark complexion, black hair and eyes.

He was riding a bay mare and carried a light blue comforter. Anyone knowing of his whereabouts will confer a great favor by writing to me. M. M. MINEAR.

Southern Kansas and Oklahoma papers please copy.

**SANTAL MIDY**  
Relieves Kidney and Bladder troubles in 48 Hours. Cures all URINARY DISCHARGES.

Each Case Sold with a full description of the disease and a full list of the symptoms.

Prepared by J. C. Santal Midy, New York.

Popular Demand for It All Over the State.

The Boston Store's new catalogue, which is an innovation in the part of Kansas, has dropped into immediate popularity and hundreds of demands are coming in for it. It consists of 140 pages and is arranged to assist buyers in an intelligent selection of goods by mail order. It is a tribute to the bustle of the firm.

**BOSTON STORE CATALOGUE**

The Boston Store's new catalogue, which is an innovation in the part of Kansas, has dropped into immediate popularity and hundreds of demands are coming in for it. It consists of 140 pages and is arranged to assist buyers in an intelligent selection of goods by mail order. It is a tribute to the bustle of the firm.

**BOSTON STORE CATALOGUE**

The Boston Store's new catalogue, which is an innovation in the part of Kansas, has dropped into immediate popularity and hundreds of demands are coming in for it. It consists of 140 pages and is arranged to assist buyers in an intelligent selection of goods by mail order. It is a tribute to the bustle of the firm.

## THAT FLOUR TRUST

Reported to be Heading For Wichita.

RUMOR NOT CONFIRMED

Trust Has Plenty to do Before Coming Here.

There was a rumor current in Wichita yesterday that one of the flour mills of the city was about to go into the hands of the United States Milling company, a New Jersey concern, that was organized a few months ago in the state of New Jersey with a capitalization of \$5,000,000. None of the millers knew anything of the report nor how it was started. A reporter for The Eagle investigated the matter but was unable to find any evidence confirming the rumor. The United States Milling company is supposed to have been organized to control the flour output of the country. A Wichita miller who has given the subject some considerable study, after denying any knowledge of the proposed purchase, said:

"The new miller company cannot control more than one-third as much flour as the Pillsbury and Washburn mills in Minneapolis manufacture."

"I hardly believe that trust methods can be applied successfully to the milling industry, although they might be. The milling business is one of the large industries of the United States, yet we have seen large trusts organized to control gigantic industries—as the iron industry."

"I do not think, however, that trust stock floats as readily as it did some time ago, so my opinion is that the manufacture of flour will remain as it has in the past."

"I do not think that there is any foundation for the report that a Wichita mill is to go into the hands of a trust. The United States Milling company has lots to do before it gets this far west."

**AT GARFIELD HALL**

An Entertainment by the Drill Team

The L. A. S. drill team will give an entertainment at Garfield hall tonight, executing the following program:

Piano solo.....Selected

Recitation....."Our Salute to Spain"

Gladys Hathaway.

Song....."Ladies' Quarter"

Mrs. Col. Bryant, Mrs. Singer and the Misses Gallagher.

Guitar solo.....Selected

Miss Belle Morris.

Recitation....."I Wish I Was a Girl"

Adolph Wendle.

Vocal solo.....Selected

Miss Carrie Tugenhorn.

Recitation....."A Lecture on Woman"

Mrs. Tona Callahan.

Song....."Just Break the News to Mother"

(By request.)

Miss Eva Burgess.

Recitation....."The Runaway Boy"

Master Ruby Linn.

Song....."O'uld Be My Sweetheart"

Harriette Koppin.

Recitation.....Selected

Mrs. Charles Beck.

Piano solo.....Selected

Virginia Paught.

Recitation.....Selected

Mrs. Lawrence.

**MUSIC CLUB RECITAL**

Seventh of the Year to be Given This Evening.

The seventh recital of the Wichita Musical club will be given this evening at the Central Christian church, at 8 o'clock. The program is entirely by Scandinavian composers and is one which will interest all lovers of good music. The vocal numbers are all furnished by Miss Elvin White and will be a treat to those of her friends who have not heard her since her return from Chicago. A very cordial invitation is extended to the public to attend this recital, which is free to all as have been the previous recitals given this year by the club. Following is the program:

Duet, "Peer Gynt Suite".....Grig

Mrs. D. Hays, Miss Gertrude Frohman.

Piano solo, "Nocturne".....Kjartir

Harriet Imhoff.

Vocal solo, (a) "My Pretty Bird".....

(b) "On the Lark, Ho!".....Kjartir

(c) "Love Visions".....Kjartir

Miss Elvin Walker.

Violin solo, "Scherzino".....Gade

Mr. J. M. Lee.

Piano duet, "Norwegian Rhapsody".....Grig

Mrs. B. Higginson, Miss Jessie Clark.

Piano solo, "Oblivion".....Grig

Miss Gertrude Frohman.

Vocal solo, (a) "The Rosebud".....

(b) "The Princess".....Grig

(c) "Good Morning".....Grig

Miss Elvin Walker.

Two pianos, Variations, E flat minor.....

Miss Irene Leeper, Mrs. Higginson.

**HIGH SCHOOL BANQUET**

Preparations are Being Made for a Grand Time.

The program of toasts which has been prepared for this banquet promises to furnish an evening of rare enjoyment. It is only at a meeting of this kind that the alumni are able to realize the influence of a school like they have in Wichita.

The management of the Carey hotel has used unusual care in planning for the reception and all are anticipating one of the most successful banquets the association has ever held.

**D. R. RHODES' APPOINTMENT**

Wichita Man to be Santa Fe's Chief Assistant Engineer.

Chief Engineer Dan, of the Santa Fe, has appointed D. R. Rhodes assistant engineer in charge of construction. Mr. Rhodes was formerly superintendent of the Wichita and Western road, and at present is in charge of building the branch of the Santa Fe from Chaney into the Indian Territory.

Mr. Rhodes has had a great deal of railroad experience, having been identified with railroad engineering and operating for a number of years.

There will be a regular convention of the Wichita Chapter No. 22, E. A. M., this evening. Visitors welcome. A. J. Applegate, secretary.

The Epworth League has planned a very attractive program for Friday evening, May 12. The principal feature will be a debate upon a very popular question of the day. It is hoped a large number will attend.

All Odd Fellows of the city are invited

# Fretful Women

Constant fret makes women thin and sickly. Nothing pleases them.

Worry, worry over something all the time.

Some female trouble keeps them uncomfortable and unhappy, some displacement makes their nerves sensitive. Such women need intelligent counsel from the right source.

A letter to Mrs. Pinkham at Lynn, Mass., would bring to them without cost advice that would brighten their lives, and head off the years of suffering which other women have endured.

Mrs. C. Carpenter, 253 Grand St., Brooklyn, N. Y., writes to Mrs. Pinkham as follows:

"DEAR FRIEND: A year ago I was a great sufferer from female weakness. My head ached all the time and I would get so dizzy and have that all gone feeling in the stomach, and was so nervous and restless that I did not know what to do with myself. My food did me no good and I had a bad case of whites. I wrote to you and after taking Lydia E. Pinkham's Vegetable Compound as directed I can truly say that I feel like a new woman and cannot tell you how grateful I am to you. I have recommended it to all my friends and have given it to my daughter who is now getting along splendidly. May you live many years to help our suffering sisters."

Mrs. Edna Jackson, Pearl, La., writes:

"DEAR MRS. PINKHAM: I had female complaints so bad that it caused me to have hysterical fits; have had as many as nine in one day. Five bottles of Lydia E. Pinkham's Vegetable Compound cured me, and it has been a year since I had an attack."

**The Experience of Mrs. Gooden.**

"DEAR MRS. PINKHAM: I am very grateful to you for your kindness and the interest you have taken in me, and truly believe your medicines and advice are worth more to a woman than all the doctors in the world. For years I had female troubles and did nothing for them. Of course I became no better and finally broke down entirely. My troubles began with inflammation and hemorrhages from the kidneys, then inflammation, congestion and falling of the womb and inflammation of ovaries. I underwent local treatment every day for some time; then after nearly two months the doctor gave me permission to go back to work. I went back, but in less than a week was compelled to give up and go to bed. On breaking down the second time, I decided to let doctors and their medicine alone and try your remedies. Before the first bottle was gone I felt the effects of it. Three bottles of Lydia E. Pinkham's Wash did me more good than all the doctor's treatments and medicine. The first remark that greets me now when I go to any place is, 'How much better you look!' and you may be sure